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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,310	02/18/2004	Seung Don Seo	U 015032-6	4850
7590 Ladas & Parry 26 West 61st Street New York, NY 10023			EXAMINER HAMO, PATRICK	
			ART UNIT 3746	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS		MAIL DATE 02/27/2007	DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/781,310

Applicant(s)

SEO, SEUNG DON

Examiner

Patrick Hamo

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>18 Feb 04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: on page 11, reference character 53 is used in error to designate the elastic support part, whereas it was used to designate the free end in all other instances in the disclosure and the drawings, and the elastic support part was designated by reference character 54 in all other instances.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Hirano et al., 5,328,338.

Hirano discloses an electric compressor having a cylinder 350, a cylinder head or base plate 710 at the head of the cylinder, and a valve assembly 500 arranged between the cylinder and cylinder head comprising a plate 520 with an exhaust hole 522, a reed valve plate 530 with a reed valve cut therein and a fixed end 531 and a junction or operating end 534 formed at first and second ends of the reed valve, a stopper or restraining plate 540 with a stopper or valve backer cut therein and a fixed end 549 and

junction or front end 544 formed at first and second ends of the valve backer, the valve backer being bent toward the plate at the head of the cylinder with an elastic support part 543, formed by bending the free end of the stopper toward the base plate, the rear surface 713 of the base plate with projection 714 supporting the valve backer in pre-pressurizing or biasing the reed valve against the bottom of recess or depression 523 in the plate 520 with exhaust hole 522.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirano in view of Na et al., 6,932,585.

Hirano discloses all of the limitations substantially as claimed and as discussed above except for the following taught by Na: a plurality of pressure projections or stopper members 261,263,265 extending from the cylinder head 220 to restrict discharge valve 245, stopper members 261 and 265 disposed at the junction and free ends of the valve and stopper member 263 disposed intermediate between the two others and directly above the exhaust hole 235, stopper member 261 is slightly longer than member 265 and the stoppers bend the valve into a bow shape (fig. 6), the stoppers formed to decrease the level of noise and vibration during the operation of the

compressor and formed integrally with the compressor head to reduce the number of parts to manufacture (col. 2, ll. 30-37).

In regards to the claimed limitations that the third pressure projection is slightly shorter than the first pressure projection and that the third pressure projection is positioned to be eccentric toward the second pressure projection, these limitations constitute mere changes in shape and rearrangement of parts over the prior art and therefore fail to patentably distinguish over the prior art of Na because the pressure projections of the applicant and stopper members of Na function substantially the same. See MPEP §2144.04(4)(b) and §2144.04(6)(c).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick Hamo whose telephone number is 571-272-3492. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571-272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

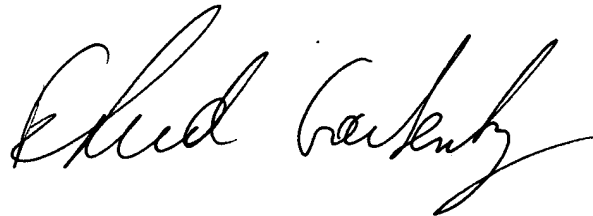
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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PA

PH

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A handwritten signature in black ink, appearing to read "Ehud Gartenberg". The signature is fluid and cursive, with a large initial "E" and a long, sweeping underline.

EHUD GARTENBERG
SUPERVISORY PATENT EXAMINER